

HERITAGE COMMISSION

Draft Minutes

October 1, 2009

The Heritage Commission held its regular monthly meeting in the City Council Chambers at 37 Green Street, Concord, New Hampshire, on Thursday, October 1, 2009, at 4:30 p.m.

1. Call to Order and Seating of Alternates:

Chairperson Donovan called the meeting to order at 4:35 p.m.

Present at the meeting were Dr. Black, James McConaha, Marilyn Fraser, Bryant Tolles, Robert V. Johnson, II, and Chairperson Philip Donovan. City Planner Douglas Woodward and Administrative Specialist Donna Muir were also present. Absent from the meeting were Committee Members Carol Durgy Brooks, Gerard Blanchette, Vice Chairperson Frederick Richards, and Elizabeth Durfee Hengen.

Chairperson Donovan elevated the alternate members to full member status for the meeting.

2. Minutes of the September 3, 2009 meeting:

The Commission considered the minutes of the September 3, 2009, Heritage Commission meeting. A motion was made by Mr. Tolles to accept the minutes as presented, and Ms. Fraser seconded the motion. Chairperson Donovan asked if there was any discussion regarding the minutes. The motion accepting the minutes of the September 3, 2009, meeting passed unanimously.

3. New Business:

Historic District Application by the Eric and Jennifer Steinhauser at 11 Horseshoe Pond Lane (2009-02)

Chairperson Donovan provided an overview to the Commission of the request to remove a large Norway maple located within six feet of the applicants' home in the Historic District.

i. Public hearing:

Chairperson Donovan opened the public hearing, noting that the applicants were not in attendance at the meeting.

Mr. John Fournier from the Concord Group was in the audience. He stated that he was in attendance to learn about the process of removing trees within the Historic District, as there were trees on the southern part of the Concord Group property at 4 Bouton Street that may need to be removed due to an acidic sap dripping from the trees. Mr. Fournier also stated that as a Historic District neighbor to the Steinhausers, the Concord Group has no objections to the Norway maple being removed.

ii. Deliberation and Action on the Application

Chairperson Donovan closed the public hearing at 4:50 p.m., and the Commission began its deliberations.

Dr. Black stated that the tree is spectacular and that it was too bad that the tree was so close to the house.

Chairperson Donovan said that the Norway maple was an invasive species. He also stated that the Kimball School of Art had forwarded a communication notifying that they had no objections to the tree being removed.

A motion was made by Mr. Johnson to allow the applicants to have the tree removed from the property and seconded by Dr. Black. Chairperson Donovan asked if there was any discussion regarding the motion.

Mr. McConaha recalled that the Kimball Jenkins Estate wanted to remove trees a while ago, but then decided not to. He asked who evaluates the need for tree removal as opposed to trimming or other options. He felt that tree removal companies were in the business of cutting trees and may be biased. He suggested that someone from the UNH Cooperative Extension could be helpful in obtaining an unbiased opinion. Dr. Black stated that he had two different tree companies look at some trees on his property and received two very different opinions. Mr. McConaha said that professionals would know the trees and their strengths and weaknesses, and he hopes that the owners have been cautious. He also stated that he had no objection to the motion.

Mr. Johnson said he thought that Mr. McConaha's suggestion was good and perhaps the Heritage Commission could consider that future applications for tree removal in the Historic District should be accompanied by an opinion of an arborist. Mr. Johnson also stated that the Steinhauser's application was simple and straight-forward, but perhaps an application concerning the Concord Group would be more complicated.

Mr. Johnson believes that due to the proximity of the Norway maple to the applicant's house, that the tree should be removed.

Mr. Tolles asked about the number of applications for tree removal that have come to the Heritage Commission. Mr. Woodward recalled that the Kimball Jenkins Estate and the Pierce Manse had applied to the Heritage Commission.

Mr. Woodward stated that the City of Concord has a number of either employees or consultants knowledgeable about trees – Ron Klemarczyk, the City's Forester, Becky Hebert, Landscape Architect, and the General Services Department employs an arborist – who would be available to look at the trees involved in future applications.

Chairperson Donovan stated that although the house was in the Historic District, it is not an original to the District, and that the tree is an invasive species and also new to the District. He asked whether the Heritage Commission could request that for each tree that is removed in the District a new one could be planted somewhere else on the property. Mr. Woodward suggested that the replacement tree could be a street tree planted in the grassy panel of the sidewalk.

Mr. Johnson asked whether he should amend his original motion to include that the owners would be asked to plant a tree that is indigenous to the area for each tree removed. Ms. Fraser stated that the Heritage Commission would need to suggest and not mandate.

Mr. Woodward stated that the City, through the Conservation Commission, plants a variety of street trees, which withstand the salt in the winter and the lack of watering in the summer (aside from the rain).

Chairperson Donovan asked that the motion be amended to request that the owner work with the City to plant a tree along the street. Mr. McConaha asked that the motion reflect that the Heritage Commission requests that the owner replace the removed tree with an appropriate, City-approved street tree to be planted in the public view.

An amended motion was made by Mr. Johnson to allow the applicants to have the Norway maple tree removed from the property, and that the owner consider replacing the removed tree with an appropriate, City-approved street tree to be planted in the public view. The amended motion was seconded by Dr. Black. Chairperson Donovan asked if there was any discussion regarding the motion. The motion passed unanimously.

[Mr. Fournier left the meeting at 5:05 p.m.]

Review of a revised RSA 79-E Tax Relief Application Form

Mr. Woodward explained the history of RSA 79-E and stated that two Penacook properties had applied for this tax relief in the past. With the Sanel Block project, the developer will be removing non-historic buildings and also applying for tax relief. The issue for the Heritage Commission as it relates to the re-adoption concerns only the section on page 3 of the form, regarding historic structures. He stated that City Council would be acting on the re-adoption of the RSA 79-E at the October Council meeting, and that the Sanel Block developers would be coming to the Heritage Commission's November meeting.

Ms. Fraser asked whether the developers knew about the proposed changes, and Mr. Woodward replied that the Sanel Block developer worked, in partnership with the City, with the Legislature to amend the statute in June 2009. Mr. Woodward also stated that the Tax Relief does not reward the destruction of historical or architecturally significant buildings. He said that the Heritage Commission should be ready to act on the Sanel Block project at their November meeting.

[Ms. Fraser left the meeting at 5:35 p.m.]

4. Old Business:

Certified Local Government Grant:

Chairperson Donovan stated that he, Mr. Woodward, a representative from the State Division of Historic Resources, and Matt Cashman from the Concord School District, met regarding the Certified Local Government Grant. (The unofficial word is that the Heritage Commission received a grant, but that it was less than what was requested. The reason given was that there were a larger number of applicants). The School District may have to do a Section 106

Inventory in conjunction with the consolidation anyway, so it was thought that perhaps the School District would be willing to fund the balance of what the Heritage Commission requested for the grant and have the Commission do the inventory.

Mr. Woodward said that the money that the City receives from the Certified Local Government Grant could be used to inventory both the Concord School District buildings and the Merrimack Valley School District buildings, but the funding from the Concord School District could only be used to inventory the Concord School District buildings.

Mr. Johnson asked why the City would be paying for the inventories at all. Chairperson Donovan stated that the Concord School District would only be inventorying the schools directly involved in the consolidation. Mr. Woodward stated that the School District would also be responsible for inventorying the homes/property that the School District purchased in anticipation of the consolidation.

There being no further business or discussion. A motion was made and seconded to adjourn the meeting. The Chairman adjourned the meeting at 6:00 p.m.

A TRUE RECORD ATTEST:

Donna Muir
Administrative Specialist
Planning Division